

# ecoNews — Wire —

IOWA DEPARTMENT OF NATURAL RESOURCES

**March 4, 2004**

**For immediate release**

- 1. 82 animal producers promise to file manure management plans**
- 2. DNR Water Quality Bureau undergoes reorganization**
- 3. DNR seeks public input on manure management plan content**
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## **82 ANIMAL PRODUCERS PROMISE DNR TO FILE MANURE MANAGEMENT PLANS**

DES MOINES – As of March 3, the DNR has received 82 notes from confinement site producers promising to deliver manure management plans by April 1.

Another 45 manure management plans have been received since Jan. 1 in DNR field offices after the DNR offered producers a grace period to file plans that were overdue.

Starting March 1, the DNR will be visiting confinement feeding operations that may need plans and have not submitted them. Based on the size and type of operation, the DNR will determine if a plan was required. Those producers who are required to have a plan and did not meet the March 1 deadline will be required to file a plan and will be assessed a \$1500 penalty.

Manure management plans have been required since 1995. Changes in state law in 1998 and 2002 expanded the number of operations required to have a plan. Plans are required for confinement feeding operations that meet either of the following:

- The operation has an animal unit capacity of more than 500 animal units and the operation was constructed or expanded after May 31, 1985, or
- A person applies manure from a confinement feeding operation located outside of Iowa on land in Iowa (does not apply if the operation's capacity is 500 animal units or less).

Plans are also required at least 30 to 60 days prior to construction of a manure storage structure that will serve a confinement operation with an animal unit capacity of more

than 500 animal units, equal to 1250 finishing swine, 500 beef or immature dairy cattle, or 357 mature dairy cattle.

**For more information, contact Gene Tinker, coordinator of DNR animal feeding program, at 515-281-3103.**

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## **DNR WATER QUALITY BUREAU UNDERGOES REORGANIZATION**

DES MOINES — The Water Quality Bureau of the DNR recently underwent reorganization, which will allow the bureau to work more efficiently.

Reorganization has evened out the number of employees under each supervisor, increasing efficiency and effectiveness, said Chuck Corell, Water Quality Bureau chief.

“The supervisors can be more effective, and the staff will get the support and motivation they need,” Corell said.

Both the Wastewater and Water Supply sections were split in two. The TMDL/Water Quality Assessment section was moved from the Water Quality Bureau to the Land Quality and Iowa Geological Survey Bureau, where the section will be able to work closely with the DNR’s ambient water monitoring group.

The reorganization created five sections to the bureau: Wastewater Construction Permits, NPDES Permits, Water Supply Construction Permits, Water Supply Operating Permits and Water Resources.

Animal Feeding Operations (AFO) will be under both Wastewater Construction Permits and Wastewater NPDES Permits, allowing employees to be cross-trained in both sections.

“There’s no reduction in work effort for AFO,” Corell said. “The work is not going away, and neither are the people.”

**For more information, contact Chuck Corell at (515) 281-4582.**

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## **DNR SEEKS PUBLIC INPUT ON CONTENT OF MANURE MANAGEMENT PLANS**

DES MOINES – The DNR is seeking public input on proposed changes in manure management plan content during five public hearings scheduled for the fourth week of March.

Proposed changes would require confinement feeding operations with more than 500 animal units to consider the phosphorus index when developing their manure management plans.

The phosphorus index was developed by the Natural Resources Conservation Service and uses factors such as soil erosion and phosphorus concentrations to determine the risk of phosphorus movement to waters of the state.

The following public hearings have been scheduled in late March:

- **Ainsworth** March 22, 2004 at 6 p.m., Marr Park Conservation Center, 2943 Highway 92
- **Des Moines** March 23, 2004 at 1:30 p.m., Fourth floor conference room, Wallace State Office Building, 502 E 9th Street
- **Atlantic** March 24, 2004 at 6 p.m., Atlantic Public Library, 507 Poplar Street
- **Spencer** March 25, 2004 at 6 p.m., Spencer School Administrative Offices, 23 East 7<sup>th</sup> Street
- **Elgin** March 26, 2004 at 6 p.m., Gilbertson Nature Center, 2258 A Avenue

The proposed rule is available on the DNR website at <http://www.iowadnr.com/epc/04jan20/5.pdf>. Those who want to comment on the proposal may speak at a public meeting or present their views in writing to the DNR. At the hearing, speakers will be asked to give their names and addresses for the record and to confine their remarks to the proposed rule.

Written comments will be taken until March 26, 2004 and should be directed to Gene Tinker, Iowa Department of Natural Resources, Wallace State Office Building, 502 E. 9th St., Des Moines, Iowa 50319-0034. Comments can be faxed to (515) 281-8895; or emailed to [gene.tinker@dnr.state.ia.us](mailto:gene.tinker@dnr.state.ia.us).

**For more information, contact Gene Tinker at 515-281-3103.**

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## **DNR ENFORCEMENT ACTIONS**

DES MOINES — The DNR has taken the following enforcement actions. Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty.

- Mid-Iowa Farm Services and Paul Hjortsvang, of Stanhope, were ordered to comply with manure applicator certification requirements and to pay a \$1,000 penalty.
- The City of Barnes City was ordered to install a centralized sewer system and provide an adequate waste disposal system.

- Galen Vander Pol, of Sutherland, was notified of intended disciplinary action. The DNR intends to place Vander Pol's Wastewater Treatment Operator Certificate on probation. Vander Pol was also ordered to complete training in addition to normal continuing education requirements.
- Iowa Ethanol, L.L.C., of Des Moines, and Reilly Construction Co., Inc., of Ossian, were ordered to develop and comply with adequate pollution prevention plans, to prevent sediment runoff, to properly inspect and repair erosion/sediment control devices, to maintain proper records and to pay a \$10,000 penalty. The order is in regards to the construction of an ethanol production facility in Worth County. The order has been appealed.
- Mark Anderson, of Burlington, was ordered to stop open burning, cease illegal disposal of solid waste, properly dispose of all solid waste currently on his property, submit documentation of proper disposal to the DNR, and to pay a \$10,000 penalty.
- Larry Johnson and Denzel Edwards, of Cass County, were ordered to stop open burning and illegal disposal of solid waste. They were also ordered to properly dispose of all solid waste currently on the property, submit documentation of proper disposal to the DNR and comply with all legal notification requirements upon occurrence of a hazardous condition. Johnson was ordered to pay a \$6,000 penalty and Edwards was ordered to pay a \$6,000 penalty. The order has been appealed.
- Mike Phillips, a.k.a. Jeff Phillips, of Cambridge, was ordered to stop open burning, to properly dispose of solid waste and to pay a \$5,000 penalty.
- The City of Shenandoah was ordered to stop open burning, stop illegal disposal of solid waste, to properly dispose of all illegally disposed solid waste, submit documentation of proper disposal to the DNR and pay a \$10,000 penalty. The order has been appealed.
- James Hoogland, of Maurice, was ordered to obtain and maintain proper manure application certification if land applying manure and to ensure that employees land applying manure obtain and maintain proper certification. Hoogland was also ordered to maintain adequate freeboard in his earthen basin, submit a construction permit application if the basin's storage capacity is to be increased and to maintain proper manure application records. Hoogland was also ordered to comply with requirements for reporting releases or spills to the DNR, comply with all feedlot and animal confinement operation regulations and statutes, and pay a \$2,000 penalty.
- American Shell Company, Inc. and James L. Peach, of Big Sandy, Tenn., were ordered to complete and submit to the DNR a corrective action design report, implement the corrective action once approved by the DNR, and to pay a \$6,200 penalty. The order is in regards to four petroleum underground storage tanks in Fairport, Iowa. The order has been appealed.

- Gettler Dairy, of Guthrie County, was ordered to comply with minimum manure control and construction permit requirements, submit a construction approval application, comply with manure management plan (MMP) and MMP record keeping requirements, and pay a \$5,000 penalty. The order has been appealed.

**For more information, contact Jessie Rolph at (515) 281-5131.**